

**ASSEMBLY BILL**

**No. 2664**

**Introduced by Assembly Member Battin**

February 25, 2000

An act to amend Section 802 of the Penal Code, relating to limitations of actions.

LEGISLATIVE COUNSEL'S DIGEST

AB 2664, as introduced, Battin. Limitations of actions.

Existing law requires that misdemeanors be prosecuted within one year after the commission of the offense, except as specified.

This bill would require that prosecution of a specified misdemeanor vehicular manslaughter offense be commenced within 3 years after the commission of the offense.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 802 of the Penal Code is  
2 amended to read:  
3 802. (a) Except as provided in ~~subdivision~~  
4 *subdivisions* (b), (c), and (d), prosecution for an offense  
5 not punishable by death or imprisonment in the state  
6 prison shall be commenced within one year after  
7 commission of the offense.  
8 (b) Prosecution for a misdemeanor violation of  
9 Section 647.6 or former Section 647a, committed with or

1 upon a minor under the age of 14 years shall be  
2 commenced within two years after commission of the  
3 offense.

4 (c) Prosecution of a misdemeanor violation of Section  
5 729 of the Business and Professions Code shall be  
6 commenced within two years after commission of the  
7 offense.

8 (d) *Prosecution of a misdemeanor violation of*  
9 *subdivision (c) of paragraph (2) of Section 192 shall be*  
10 *commenced within three years after the commission of*  
11 *the offense.*

